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III.—PROHIBITIVES IN SILVER LATIN.

Professor Bennett's review of Elmer's theory of the force of tenses in the prohibitive (Cornell Studies, IX 48-65), led me to investigate the usage in the writers of the Silver Age. The results of the first investigation, which was confined to Persius, Lucan, Valerius Flaccus, Silius Italicus, Statius, Martial and Juvenal, were such that other authors were examined. The present paper includes all examples noted in Phaedrus, Seneca (tragedies), Curtius Rufus, the Declamations of the Pseudo-Quintilian, Tacitus, Pliny's Letters, Apuleius (*Metamorphoses*), Ausonius, and the authors contained in vols. I, III, IV and V of Bährens' *Poetae Latini Minores*, as well as those already cited. It is my purpose to continue the investigation until the entire period has been examined. A sufficiently large amount, however, has been considered, to warrant the statement of the results reached. Had the investigation revealed nothing more than what had been already the subject of discussion, there would have been no justification for publication. The actual usage of the period, which no theory can invalidate, is such, it seems, as to merit attention.

"The investigation of this question (from the theoretical side) is," as Bennett observes, "a somewhat delicate one." If this be true of Plautus, it is far more delicate in the case of the authors under consideration. The almost entire absence of the dramatic element, the brevity of many selections, the variety of style,—these are some of the factors that add to the difficulty of the task. In this part of my investigation, Professor Elmer has placed me under great obligation by restating his theory and methods in an extended correspondence as well as by placing his unpublished reply to Bennett at my disposal.¹

My collections are intended to be complete on the use of *ne* with the present and perfect subjunctive, *cave* and *vide* (*ne*) with the same tenses, *ne* with the imperative, *noli* with the infinitive, and some unusual types. All collectors of syntactical material

¹ An abridgment of this has since appeared in A. J. P. XXI 80-91.

are aware of the difficulty of making such collections complete. It is to be hoped that the omissions, if any, are few. All clauses that could be regarded as subordinate have been omitted.

After Bennett's treatment of the subjunctive of obligation or propriety (Cornell Studies, IX 1-30), I have not deemed it necessary to go into any formal discussion of the subject. All examples of the subjunctive with *nec*, *nihil* and the like (with a few rare exceptions) have been treated as prohibitives, though placed under proper subheads for convenience of reference.

Let us get Professor Elmer's statement of his theory clearly before us before passing to a consideration of the three divisions under which the subject properly falls—the perfect subjunctive, the present subjunctive, and the imperative.

"The emotion, or earnestness," says he in his reply to Bennett, "which I claim lies in the prohibition comes from alarm, indignation, or the like, caused by a fear (real or pretended) that the act prohibited will take place. If this act itself is of such a character that no particular harm would be likely to result from its performance, I should not expect the perfect to be used (however much excited the speaker might be from other causes), except in those rare instances where energetic utterance is purposely affected."

"Wherever the failure to heed a prohibition even of a purely mental act would be fraught with serious consequences either to the speaker or to some other person in whom the speaker takes a deep interest, my theory would lead one to expect the perfect tense."

"The meaning of the verb, the speaker's attitude toward a particular act concerned in each case and the effect of the performance of it upon his interests . . . these points are the only essential points in my whole theory, they constitute in fact all there is in the theory."

"A fair test of my theory [from a letter of June 5, 1899] may be made in the following manner: Ask in connection with each prohibition the question, 'Will a failure to comply with the prohibition result in a disaster of some sort to one's interests or feelings?' You will find that in prohibitions with the present tense the answer will be 'No!' almost without exception. In prohibitions with the perfect, the answer will in most cases be 'Yes!' and the few exceptions may easily be accounted for."

I. *The Perfect Subjunctive.*

Employing these tests, the following perfects are in accord with Elmer's theory :

1. With *ne*.—Phaedr. App. 11, 4 *Ne istud dixeris*; Multo fuere vires maiores meae (Successful athlete to Aesop, questioning his strength); Curt. Ruf. 4, 10, 32 *Sed ne expectaveris per deos, si quid tibi tui regis reverentiae est* (Darius to Tyriotes, who has brought news of defeat); 7, 8, 29 *Iurando gratiam Scythas sancire ne credideris: colendo fidem iurant* (Scythian envoy to Alexander); 8, 7, 15 *Quorum orbas senectutem, suppliciis ne oneraveris* (Hermolaus to Alexander); 9, 2, 29 *Ne infregeritis in manibus meis palmam, qua Herculem Liberumque patrem, si invidia afuerit, aequabo* (Alexander to his soldiers); Luc. 8, 451 *Ne (nec V) iura fidemque Respectumque deum veteri speraveris aula* (Lentulus to Pompey, speaking of the Egyptian court); Val. Flac. 5, 507 *Tu modo ne claros Minyis invideris actus* (Jason to Aeetes, asking an alliance); 7, 415 *Ne, precor, infando similem te, virgo, parenti, Gesseris; haut tales decet inclementia vultus* (Jason to Medea); Mart. 7, 10, 8 *Septingenta Tito debet Lupus: Ole, quid ad te? Assem ne dederis crediderisve Lupo*; 7, 60, 6 *Nil pro me mihi, Iuppiter, petenti ne suscensueris vel superbo*; Tac. Hist. 1, 16 *Ne tamen territus fueris, si duae legiones in hoc concussi orbis motu nondum quiescunt* (Galba to Piso on his adoption); Hist. 2, 77 *Ne tamen Mucianum socium spreveris, quia aemulum non experiris. Me Vitellio antepono, te mihi* (Mucianus to Vespasian); Plin. 6, 17, 4 *Disertior ipse es? tanto magis ne invideris: nam qui invidet minor est* (Pliny to his friend Restitutus); 9, 21, 3 *Remitte aliquid adulescentiae ipsius, remitte lacrimis, remitte indulgentiae tuae: ne torseris illum, ne torseris etiam te* (Pliny to Sabinianus, regarding the latter's freedman); Pany. 62 *Ne respexeris clandestinas existimationes nullisque magis quam audientibus insidiantes susurros.*

2. With *nec* or *neu*, preceded by an imperative or volitive subjunctive.—Here *nec* must be regarded as equivalent to *neve* (*neu*). Luc. 7, 591 *Ne rue per medios nimium temerarius hostis, Nec tibi fatales admoveris ante Philippos Thessalia periture tua* (Address to Pompey); 9, 1026 *Crede . . . nec vile putaris Hoc meritum, nobis facili quod caede peractum est* (The messenger from the Egyptian king brings Pompey's head to Caesar); Val. Flac. 1, 176 *Cuncta parato; In quaecumque vocas; Nec nos, ait,*

optume, segnes Credideris patriisve magis confidere regnis Quam tibi (Acastus to Jason); 5, 539 Quare age cognatas primum defendite sedes Nec decus oblatis dimiseris advena belli (Reply of Aetes to Jason); Stat. Theb. 9, 890 Decipito; neu tu subitus neve arma tenenti veneris (Dryas to Dorceus, who is to bear to his mother the news of his death); Mart. 5, 34, 10 Mollia non rigidus caespes tegat ossa, nec illi, Terra, gravis fueris: non fuit illa tibi (On the little slave-girl, Erotion); 6, 64, 28 Sed miserere tui, rabido nec perditus ore Fumantem nasum vivi temptaveris ursi (To a critic).

3. With *neque* (*nec*).—Ps.-Quint. 50, 16 (Ritter) Neque enim hoc tu spectaveris, quod cum uxore non diu vixi (Son's plea when compelled to divorce his wife); Tac. Hist. 2, 47 Nec tempus computaveritis: difficilius est temperare felicitati, qua te non putes diu usurum (Otho to his soldiers); Hist. 2, 76 Nec speciem adulantis expaveris: a contumelia quam a propius fuerit post Vitellium eligi (Mucianus to Vespasian).

4. With *cave*.—Curt. Ruf. 5, 2, 21 Cave, obsecro, in contumeliam acceperis ignorationem meam (Alexander apologizing to Sisigambis for his conduct).

5. With *vide* (*ne*).—Ps.-Quint. 376, 6 Vide, ne rogaveris. Insanus sum (Father to son, who has failed to win him over).

6. With *minime*.—Curt. Ruf. 5, 2, 15 Minime vero haec feceris, rex, sed omen quoque accipe (Philotas to Alexander, who wished to remove Darius' table).

Elmer's theory will not apply in the following passages:

1. With *ne*.—Phaedr. App. 26, 5 Ne timueris; Late securus (Countryman to hare); Mart. 2, 68, 3 Quod te nomine iam tuo saluto, Quem regem et dominum prius vocabam, Ne me dixeris esse contumacem (To Olus); Tac. Ann. 6, 8 Ne, patres conscripti, ultimum Seiani diem, sed sedecim annos cogitaveritis (Speech of Terentius); Plin. 1, 18, 5 Quod dubitas, ne feceris (Precept); Cato 1, 30, 1 Quae culpae soles, ea tu ne feceris ipse (Precept); 3, 7, 1 Alterius dictum aut factum ne carperis umquam (Precept); Coll. 47 Minorem ne contempseris (Precept); 3, 241, 25¹ Quod tibi non optes, alii ne feceris ulli (Precept).

2. With *nec* preceded by an imperative or subjunctive.—Pers. 1, 7 Non castiges . . . nec te quaesiveris extra (Persius to his

¹In several passages from Bährens, it is impossible to give an exact reference by title. Such passages are cited, as in the present instance, by the volume, page and line of the selection. Several passages from Ausonius are cited in the same way.

friend); Mart. 14, 218, 2 Dic quotus et quanti cupias cenare nec unum addideris verbum: cena parata tibi est (To the *obsonator*); Plin. 8, 24, 5 Absit superbia asperitas. Nec timueris contemptum (Pliny to his friend Maximus); Nemes. Cyn. 166 Sed neque conclusos teneas neque vincula collo Inpatiens circumdederis (Advice on the care of puppies); Cato 2, 16, 1 Nec te conlaudes nec te culpaveris ipse (Precept).

3. With *nec* preceded by an indicative.—Juv. 14, 48 Maxima debetur puero reverentia, si quid Turpe paras, nec tu pueri contempseris annos, Sed peccaturo obstet tibi filius infans (Precept).

4. With *nullus* preceded by an imperative.—Ps.-Quint. 235, 24 Colite, homines, innocentiam et nullam spem impunitatis ex secreto scelerum conceperitis.

5. With *nec*.—Luc. 1, 53 Sed neque in arctoo sedem tibi legeris orbe (Lucan to Nero); Ps.-Quint. 22, 3–6 Neque enim eum, qui non vicit, negaveris pugnasse; neque eum, qui fructus non percepit, negaveris possedisse; aut eum, qui naufragium fecit, negaveris navigasse; Mart. 5, 6, 16 Nec porrexeris ista sed teneto, Sic tanquam nihil offeras agasque (To his book).

6. With *nemo*.—Cato, Coll. 1, 31 Neminem riseris (Precept).

7. With *nullus*.—Cato 3, 10, 2 Si prodest, sensum nullius temperis unquam (Precept).

8. With *nihil*.—Tac. Ann. 16, 22 Denique nihil ipse de Thræsea scripseris: disceptatorem senatum nobis relinque (Cossutianus to Nero); Cato, Coll. 24 Nihil temere credideris (Precept); Coll. 48 Nihil arbitrio virium feceris (Precept).

9. With *numquam*.—Cato 2, 29, 1 Iudicium populi numquam contempseris unus (Precept); 4, 41, 1 Damnarum numquam post longum tempus amicum (Precept).

Elmer repeatedly emphasizes the absence of verbs of mental action in the perfect in prohibitions as one of the strongest arguments in support of his theory, in fact one of the three things that make up his theory. Thus he says (A. J. P. XV 152): "In the whole history of the Latin language, from the earliest times down to and including Livy, there are to be found in prohibitions expressed by *ne* with the perfect subjunctive only two, or at most three, verbs denoting mere mental activity, viz. *ne dubitaris* (Cic. ad Att. 7, 3, 2), *ne metueritis* (de rep. 1, 19, 32), *ne curaris* (ad Att. 4, 15, 6)." There is certainly a fourth instance which has escaped the notice of both Elmer and Bennett, *ne curassis*, Poen. 552, the only example of a verb of purely mental action with *ne*

in the perfect in prohibitions in Plautus.¹ While I can not agree with Elmer in his contention that verbs of mental action can not be used in the strongest kind of prohibitions, we must admit that, regarding the three instances of *nil curassis* cited by Bennett (p. 65) as prohibitions, the proportion of such verbs is very small in the dramatists. Accepting the instances with *nec*, *nihil* and the like, the proportion becomes, as Bennett has shown, a very respectable one in Cicero and the poets of the Augustan age. It is surprising to note the number of different verbs, notably those of non-mental action, that appear in the perfect in prohibitions. Most of them occur but once or twice. While I have made no systematic count of them, I feel quite safe in saying that *dixis*, *feceris* and *fuieris* are the most frequent and common to all periods, while the authors we are considering employ nearly as many as those of the entire period preceding and ending with Livy. In the 57 prohibitions that have been cited, 41 different verbs are found. Of these, 16 express mental action, occurring in 22 passages. Such a percentage of verbs and passages is out of all proportion to the total verbs of both classes in the language. Even omitting the instances that Elmer would perhaps class as those of obligation or propriety, the percentage will be changed but little. I am confident that additional prose examples will confirm these results.² The theory as to the absence of verbs of mental action in the perfect subjunctive in prohibitions is plainly untenable for Silver Latin, as I believe it is for the entire history of the language. Its infrequency in the dramatists may be explained in various ways. A theory as ingenious might be advanced to explain the absence of certain verbs of non-mental action in authors or periods.

Elmer's contention that *ne* with the perfect never occurs in dignified or deferential address does not appear valid in the light of a number of the preceding examples. When personages of rank or distinction (or in one instance a god) are addressed, the

¹ Elmer in his last article (p. 91) still ignores this passage, for he says: "I did say that no such instances occur in Plautus, and I still believe it to be true." If *curaris* is a verb of mental action in Cicero, as Elmer apparently admits, *curassis* in Plautus must certainly be of similar character. Its importance is considerable in its bearing on Elmer's contention, for we have an example of a usage whose existence Elmer has vigorously denied.

² Thus, I have noted, in a small portion of Seneca's prose, Ad Marc. De Cons. 5, 5 *ne concupieris*, and Ad Polyb. De Cons. 9, 7 *ne invideris*.

tone must be deferential, however great the excitement under which the speaker is laboring at the time, or the earnestness with which he speaks.

I can not assent to Elmer and Bennett's conclusions that *ne* with the perfect was essentially a colloquialism as far as Silver Latin is concerned. This may be true of some authors, but one can hardly regard its appearance in the epic writers, the speeches of Curtius Rufus or Tacitus or Pliny's panegyric on Trajan as an example of colloquial usage.

Sixteen of the prohibitions (mostly from Cato) are addressed to an indefinite person. *Cave (ne)*, which was used with the perfect in Plautus and Terence more frequently than *ne*, occurs but once. It is not cited in the examples given from Cicero and the Augustan writers.

II. *The Present Subjunctive.*

The following examples conform to Elmer's theory of the absence of special emotion, as he defines it, in prohibitions expressed by the present subjunctive.

1. With *ne*.—Gratt. Cyn. 190 *ne aspernere*; Sen. Phaedr. 766 *ne(u) suspicias*; 4, 74, 1 (Bährens) *ne mirere*; Calp. 3, 75 *ne dubites*; Mart. 1, 70, 13 *ne metuas*; 4, 59, 5 *ne placeas*; 7, 26, 2 *ne accedas*; 9, 61, 20 *ne metuas*; Introd. to Bk. XII, *ne mireris*; 13, 66, 1 *ne violes*; 14, 97, 3 *ne spernas*; Plin. Trai. 40, 3 *ne existimes*; Juv. 15, 89 *ne quaeras et dubites*; Cato 1, 17, 1 *ne cures*; 1, 22, 1 *ne timeas*; 1, 25, 2 *ne sis*; 2, 31, 1 *ne cures*; 3, 2, 1 *ne cures*; 3, 21, 1 *ne videaris*; 4, 22, 1 *ne cures*; 4, 38, 2 *ne credas*; 4, 45, 2 *ne quaeras*; Auson. 29, 6 (Peiper) *ne praetereas*; 207, 29 *ne mireris*; 262, 24 *ne metuas*; 309, 2 *ne reputes*; Avian. 1, 11 *ne mireris*; Vincent. 4, 361, 10 *ne metuas*; Felix. 4, 338, 7 *ne praestes*; Incert. 3, 306, 8 *ne credas*; Incert. 4, 308, 5 *ne dubites*; Incert. 5, 105, 2 *ne exagites*; Perdic. 182 *ne dubites*; Priap. 44, 4 *ne dubitetis*.

2. With *neu* or *nec* preceded by an imperative or subjunctive.—Sen. H. F. 1085 *preme . . . nec linquas (linquat)*; Pers. 3, 73 *disce nec invidias*; Mart. 1, 117, 13 *pete nec roges*; 12, 14, 2 *utaris nec eas*; Cato 1, 12, 1 *fuge neu studeas*; 2, 30, 2 *sit nec culpes*; 3, 24, 2 *diligito nec offendas*; Auson. Mos. 428 *propellite neu vereare*; 419, 4 *mitte nec exprobres*; Incert. 5, 83, 3 *memento nec metuas*; Incert. 5, 97, 4 *mitte nec exprobres*.

3. With *nec* or *neu*.—Sen. H. O. 764 *nec* (*neu*) *credas*; Pers. 5, 158 *nec dicas*; Stat. Silv. 1, 1, 17 *nec putes*; Mart. 10, 47, 13 *nec metuas nec optes*; 10, 70, 11 *nec possis*; 13, 10, 1 *nec possis*; Juv. 3, 302 *nec metuas*; 8, 189 *nec ignoscas*; 9, 99 *nec contemnas aut despicias*; 14, 203 *neu credas*; Tac. Ann. 3, 50 *nec metuas*; Nemes. Cyn. 165 *neque teneas*; 166 *noceasque*; Cato 2, 16, 1 *nec conlaudes*; Maxim. 1, 143 *nec possis*; Vitalis 4, 150, 1 *nec tenearis*; Dracont. 5, 216, 7 *nec quaeras*.

4. With *cave* (*ne*).—Gratt. Cyn. 50 *ne subeat cave*; Mart. 6, 79, 1 *Sciat caveto*; 7, 15, 6 *ne velit, cave*; 10, 72, 13 *caveto loquaris*; Plin. 5, 10, 2 *cave ne extorqueant*; Apul. 11, 12 (Vliet) *cave transeas*; 183, 26 *cave ne exedas*; Auson. 343, 4 *ne decipiare cave*.

5. With *vide* (*ne*).—Phaedr. 3, 6, 3 *vide ne conpungam*; Mart. 6, 21, 4 *ne quid pecces, vide*; 10, 19, 13 *ne pulses, videto*; 14, 131, 2 *ne fias, vide*; Cato 4, 25, 2 *vide ne damnes*; Avit. 4, 258, 2 *ne laedas vide ne repugnes*.

6. With *non*.—Pers. 1, 6 *non accedas examenque castiges*; 5, 45 *non dubites*; Cato, App. 76 *non pecces*; 3, 240, 4 *non laedas*; Asclep. 4, 141, 30 *non dedigneris*.

7. With *nihil*.—Juv. 4, 22 *nil expectes*; Apul. 208, 29 *nihil metuas*; Auson. 4, 7 *nil dubites*; 312, 9 *nihil metuas*; Cato 3, 242, 33 *nil facias*.

8. With *numquam*.—Cato 3, 242, 35 *Improperes numquam*.

The following presents display emotion that Elmer's theory would not lead us to expect in prohibitions employing this tense:

1. With *ne*.—Phaedr. App. 26, 4 *Per superos oro perque spes omnes tuas, Ne me indices, bubulce; nihil umquam mali Huic agro feci* (Hare to countryman); Curt. Ruf. 6, 3, 12 *Ne vos magno labore credatis Bessum vacuum regnum occupaturum* (Alexander to his soldiers); 9, 2, 28 *Per vos gloriamque vestram, qua humanum fastigium exceditis, perque et mea in vos et in me vestra merita, quibus invicti contendimus, oro quaesoque, ne humanarum rerum terminos adeuntem alumnum commilitonemque vestrum, ne dicam regem, deseratis* (Alexander to his soldiers); Pers. 3, 96 *Ne sis mihi tutor* (Invalid to friend); 5, 170 *Ne trepidare velis* (Davus to his master); Il. Lat. 330 *Moneo, ne rursus inique Illius tua fata velis committere dextrae* (Helen to Paris); 724 *Nunc vos per numina divum, Per mare, per Ditis fluctus obtestor opaci, Ne rapere hanc animam crudeli caede velitis* (Dolon to Ulysses).

and Diomed); Stat. Theb. 3, 241 Vos o superi, meus ordine sanguis, Ne pugnare odiis neu me temptare precando Certetis (Jupiter to the gods); 3, 665 Ne mihi tunc, moneo, lituos atque arma volenti Obvius ire pares (Capaneus to Amphiarus); 6, 893 Ne, precor, ante aciem ius tantum casibus esse Fraternalis sinas (abigant hoc numina!) votis (Adrastus to Tydeus, eager to engage in single combat); Silv. 4, 9, 55 Tantum ne mihi, quo soles lepore, Et nunc hendecasyllabos remittas (Statius to Grypus); Mart. 11, 55, 2 Hortatur fieri quod te Lupus, Urbice, patrem, Ne credas; nihil est, quod minus ille velit; Ps.-Quint. 201, 9 Ne quid inprobe petas, ne videaris isto animo litigasse (Father to son); Vespa 62 Illi ne credas aliquid (Cook to Vulcan, who is deciding a contest); Apul. 19, 3 Ergo brevitatem gurgustiolii nostri ne spernas, peto (Milo to Lucius); 169, 24-26 Quovis alio felicius maritare, modo ne in Thrasylli manum sacrilegam convenias, neve sermonem conferras, nec mensam accumbas nec toro adquiescas (Shade of the murdered Tlepolemus to his wife); Auson. 296, 83 In hoc reponebant omnia Ne, quaeso, segnem neve perversum putes nec crimineris impium (To Paulinus, referring to himself); 301, 190 Ne me igitur, venerande parens his ut male versum Increpites studiis neque me vel coniuge carpas vel mentis vitio (Same persons as preceding passage); Avian. 9, 23 Ne facile alterius repetas consortia (Bear to traveller deserted by his companion); Dracont. 5, 148, 273. 276 Ne viscera matris Transadigas gladio, laceres ne membra parentis. Civilia colla ne ferias (Poor man to rich); Incert. 3, 300, 6 Ne nostra feras de regione pedem (To Isis).

2. With *nec* or *neve* preceded by an imperative or subjunctive.—Sen. Troad. 562 Libera Graios metu . . . Neve crudelem putes Quod sorte iussus Hectoris gnatum petam. Petissem Oresten (Ulysses, with assumed feeling, to Andromache); Luc. 2, 637 Concute. Nec Pharnacis arma relinquo (Pompey to his son); Sil. Ital. 17, 367 Vitamque remittas Neve sinas captum Ausonias perferre catenas (Juno, pleading with Jupiter for Hannibal); Mart. 1, 35, 14 Parcas lusibus et iocis, rogamus, Nec castrare velis meos libellos (To Cornelius, who criticised the immoral tone of his works); 10, 78, 15 Sic inter veteres legar poetas, nec multos mihi praeferas priores, Uno sed tibi sim minor Catullo (To his friend Macer); Apul. 56, 17 Immo vero licet maius quodvis supplicium sume, nec tamen me putes, oro, sponte angorem istum tibi concinasse (Fotis to Lucius); 89, 3 Bono animo esto, mi erilis, nec vanis somniorum figmentis terreare (Aged servant to her

mistress); 93, 8 Siste puellam . . . nec speres generum mortali stirpe creatum (Order to Psyche's father); 113, 13 Ergo mihi ausculta nec te rursus praecipitio vel ullo mentis accersito genere perimas (Pan to Psyche); 146, 3 Nec me putetis egenum vel abiectum neve de pannulis istis virtutes meas aestimetis (Captive to robbers); 256, 7 Exue nec quicquam rerum earum reformides ut arduum (Venus to Lucius); Auson. 261, 13 Disce libens: tetrici nec praeceptoris habenas Detestere, nepos; 289, 7 Parce, precor, lacerare tuum, nec amara paternis, Admiscere velis, ceu melle absinthia, verbis (To Paulinus); 299, 154 Unde, precor, meliora putes nec maxima perdas Praemia detestando tuis bona fontibus orta (To Paulinus); 309, 11 Oro libens sumas, nec vilia dedigneris Quae sunt parva (To Gestidius); Incert. 3, 273, 15 Expectes oro neve interimas me (Father to son).

3. With *nec* preceded by an indicative.—Mart. 1, 54, 4 Unum, si superest, locum rogamus, nec me, quod tibi sum novus, recuses (To Fuscus, asking to be enrolled among his friends); Tac. Ann. 6, 8 Abditos principis sensus, et si quid occultius parat, illicitum, anceps; nec ideo adsequare (Speech of Terentius).

4. With *nec*.—Mart. 4, 20, 3 Ferre nec hanc possis, possis, Colline, nec illam (Caerellia and Gellia's faults are under discussion); Apul. 49, 10 Nec me putetis privatis simultatibus instinctum odio proprio saevire (Nightguard to jurors); 63, 23 Nec istud factum putes ulla benivolentia sed ut ei redeunti medela salubri possem subsistere (Fotis tells Lucius of power given her by her mistress); 98, 11 Quarum (i. e. sororum), si quas forte lamentationes acceperis, neque respondeas immo nec prospicias omnino; ceterum mihi quidem gravissimum dolorem, tibi vero summum creabis exitium (Cupid to Psyche); 103, 21 Neque omnino conferas et certe de marito nil quicquam vel audias vel respondeas (Cupid to Psyche. Upon the manner in which the order is obeyed will depend the divine or human nature of their child); 104, 18 Nec illas scelestas feminas vel videas vel audias (Cupid to Psyche); 126, 24 Psyche, tantis aerumnis exercita, neque tua miserrima morte meas sanctas aquas polluas nec vero istud horae contra formidabiles oves feras aditum (The reeds in the river to Psyche, who was about to throw herself into the stream); 131, 17 Nec tu tamen illicita adflectare pietate (Tower to Psyche, regarding old man's request to be taken into Charon's boat); 131, 22 Nec putes futile istud polentacium damnum leve (Tower to Psyche).

5. With *cave* (*ne*).—Curt. Ruf. 4, 1, 22 Et cum in regali solio

residebis, vitae necisque omnium civium dominus, cave obliviscaris habitus, in quo accipis regnum, immo, hercule, propter quem (One of the messengers to Abdalonymus, upon offering him the kingdom); 4, 10, 26 Vultus tuus nescio quod ingens malum praefert, sed cave miseri hominis auribus parcas: didici esse infelix, et saepe calamitatis solacium est nosse sortem suam (Darius to messenger bringing news of defeat); 7, 8, 28 Quos viceris, amicos tibi esse cave ne credas: inter dominum et servum nulla amicitia est (Scythian envoy to Alexander); Mart. 6, 78, 3 Bibas caveto: Vinum si biberis, nihil videbis (Heras, the physician, to his patient. Disobedience brought the predicted result); 11, 102, 7 Audiat aedilis ne te videatque caveto (Jesting = serious warning to Lydia); Apul. 30, 6 Cave ne nimia mellis dulcedine diutina bilis amaritudinem contrahas (Jesting speech of Fotis to Lucius).

6. *Cave (ne)* preceded by an imperative.—Stat. Theb. 11, 111 Impelle nefas; neu mitis Adrastus Praevaleat plebesque, cave, Lernaean moretur (Tisiphone to her sister Megaera, summoned to her aid from the underworld).

7. With *vide (ne)*.—Phaedr. App. 10, 14 Vide, ne querela maior accrescat domus (Aesop to a father); Sen. Oed. 857 Ne te parentis pigeat inventi vide (Old man to Oedipus); Med. 532 IAS. Alta timesco sceptrum. MED. Ne cupias vide; Curt. Ruf. 7, 8, 14 Stultus est, qui fructus earum (i. e. magnarum arborum) spectat, altitudinem non metitur. Vide, ne, dum ad cacumen pervenire contendis, cum ipsis ramis, quos comprehenderis, decidas (Scythian envoy to Alexander); Pers. 1, 109 Videsis, ne maiorum tibi forte limina frigescant (Friend to Persius).

Elmer, in giving the test-question which has been asked in connection with the preceding 168 prohibitions in the subjunctive present, says: "You will find the answer will be 'No!' almost without exception." If I have erred in my conclusions, it has been on the side of conservatism, and Professor Elmer's theory has been given the benefit of every doubt. Yet, instead of the few exceptions we were told might be met with, 78 of the prohibitions (44 per cent.) do not accord with the theory at all. This in itself is surprising; but the result is still more startling, if we take another step, as we are justified in doing. It will be generally admitted that precepts or prohibitions addressed to no particular person can not be tested with any degree of exactness by such a question. All such prohibitions, therefore, have been regarded as non-emotional (I use the word and its opposite in the sense given by Professor Elmer). The prohibitions in the perfect

subjunctive would be reduced to 41 and the non-emotional to 12, instead of 27, as at present. This strengthens the perfect side of the theory, though it will be admitted that 27 per cent. of non-emotional perfects is a proportion that seriously discredits it. Deducting the 47 presents of a similar character, we have 121 remaining, of which 76, or 63 per cent., are in opposition to the theory. Either percentage is fatal to the theory's validity. Let us take a few examples at random to determine what the results were, or would be if there was a failure to comply with the prohibition. The patient disobeyed the physician, drank, and became blind. Psyche looked out, saw and listened to her sisters, with disastrous results. The hare would have lost its life. Alexander would have been deserted by his troops, would have fallen from his pinnacle of greatness. The gods would have been at war. Tlepolemus' wife would have shown courtesy to her husband's murderer and even married him. Hannibal would have been thrown into chains. Psyche would have thrown herself from the tower, or into the river, or would have approached dangerous animals. Lucius would have remained an ass. The son would have killed his father. Darius would have been left in anxious expectation. Each of these results was or would have been certainly "a disaster of some sort to one's interests or feelings"—a serious disaster. Possibly one fourth of the examples have been considered; the remainder could be tested with the same emphatic results. It can be plainly shown, even in the examples where verbs of mental action appear, that a large number, if not a majority, of prohibitions in the present subjunctive, tried by Professor Elmer's test, do not conform to his theory at all. Supposing his theory of the emotional nature of the perfect in prohibitions had been proven to be without exception, these examples from the present show that neither tense can claim an exclusive emotional monopoly. Strong emotion is expressed in prohibitions in Latin by both the present and perfect subjunctive, and I believe it is impossible to establish any definite rule with regard to the use of the two tenses.

Another objection to Elmer's theory as to the distinction in force between the two tenses, raised by Professor Bennett in his criticism of the Plautine examples, can be urged in Silver Latin as well. In three passages (Curt. Ruf. 9, 2, 28. 29; Nemes. Cyn. 165; Cato 2, 16, 1), present and perfect occur with no apparent difference in force; in a fourth, Tac. Ann. 6, 8, the present is apparently emotional, the perfect the reverse, while in Curt. Ruf.

7, 8, 28. 29 we have the present and perfect of the same verb (*cave ne credas, ne credideris*) in the same speech, the only difference being that the present is probably the more emphatic of the two!

In these present subjunctive prohibitions 112 different verbs occur, 46 being those of mental action. Of the 168 prohibitions, 97 are verbs of mental action, a percentage considerably larger than in Plautus and Terence, where Elmer states that about one third of the examples are of this class.

The present, which yielded to *noli* with the imperative in Cicero, has recovered its position again.

Seventy-two per cent. of the prohibitions are addressed to a definite person, including all the prose examples. It is interesting to note that the critics and later writers on the prohibitive regard Professor Elmer as the original overthrower of Madvig's theory, either ignorant or forgetful of the fact that Professor Hale (A. J. P. IX 162), six years before the appearance of Elmer's papers, had shown that Madvig's theory did not apply to Plautus.

Dräger's statement with regard to *cave (ne)* (Hist. Syn. I 326): "Die Verbindung mit der ersten und dritten Person des Conjunktivs kommt seit der klassischen Zeit nicht mehr vor," is incorrect. Eight examples with the third person have been cited.

III. *The Imperative.*

A. With *ne*.

Gratt. Cyn. 125 *ne relinquit*; Consol. Liv. 247 *nec repugna*; 248 *nec morare*; 249 *nec destrue*; 470 *nec crede*; Germ. Prog. 4, 54 *nec crede*; 55 *nec puta*; Sen. H. F. 660 *neve fraudas*; Thy. 94 *ne violate*; 95 *neve adspargite*; 917 *ne parce*; 984 *ne metue*; Phoen. 133 *ne verere*; 193 *ne erue*; 195 *neve everte*; 283 *ne metue*; Phaed. 137 *neve praebe*; 227 *ne crede*; 1002 *ne metue*; 1249 *ne metue*; Troad. 720 *nec puta*; Med. 608 *nec rumpe*; 1024 *ne propera*; Aga. 833 *ne metue*; 1062 *ne trahite*; H. O. 1377 *nec trepida*; Octav. 259 *neve nova*; Pers. 6, 66 *ne dicta*; Luc. 1, 94 *nec credite*; 2, 39 *neve differte*; 5, 492 *ne retine*; 5, 536 *ne cessa*; 5, 588 *ne flecte*; 6, 773 *ne parce*; 6, 812 *ne quaere*; 7, 24 *ne rumpite*; 7, 328 *ne parcite*; 7, 590 *ne rue*; 8, 627 *ne cede*; 9, 613 *ne dubita*; 9, 982 *ne tangere*; 9, 1082 *nec credite*; Calp. 2, 60 *ne contemne*; 4, 78 *ne dubita*; 4, 146 *ne desere*; 7, 20 *nec desere*; Nemes. 1, 81 *ne desere*; 4, 44 *ne perde*; Cyn. 185 *nec indulge*; Val. Flac. 1, 215 *nec desere*; 1, 526 *ne pande*; 2, 251 *ne quaere*;

2, 596 ne defice; 4, 125 ne crede; 4, 218 ne ferte; 4, 477 nec credite; 4, 581 ne impende; 4, 592 ne defice; 4, 603 nec crede; 5, 502 nec adi; 5, 589 ne sperne; 6, 539 neve finge; 7, 226 neu argue; 7, 287 ne falle; 7, 449 ne crede; 8, 12 ne crede; 8, 436 ne cede; Sil. Ital. 1, 636 ne crede; 2, 30 ne deposce; 2, 700 neu rumpite; 2, 701 nec postferte; 3, 146 ne exhorresce; 5, 87 ne dedignare; 5, 117 ne fingite; 5, 317 ne desere; 6, 538 ne cessa; 9, 32 ne expectate; 11, 358 ne sperne; 11, 591 ne spoliare; 12, 329 neu date; 13, 284 ne rumpite; 13, 874 ne metue; 14, 168 ne precare; 15, 161 ne sperne; 15, 191 ne capesse; 16, 127 ne capesse; 16, 670 ne fabricate; 17, 29 nec miscete; 17, 445 ne prodite; Stat. Theb. 1, 688 ne perge; 2, 118 nec sine; 2, 160 ne credite; 3, 301 ne gaude; 3, 311 ne concipe; 3, 715 nec desine; 4, 513 ne spernite; 4, 537 ne vulgata; 4, 599 ne saevite; 4, 642 ne trepida; 5, 670 neve indulgete; 5, 750 ne violare, ne plangite; 6, 167 nec vocare; 8, 94 neve dignare; 8, 325 ne rape; 8, 326 ne propera; 8, 328 neu praecipe; 9, 660 nec perge; 10, 696 ne crede; 10, 703 ne permittite; 10, 708 ne perge; 11, 390 ne incesse; 12, 203 ne revocate; 12, 595 nec crede; 12, 762 ne crede; 12, 816 nec tempta; Ach. 1, 80 ne pete; 1, 358 neve concede; 1, 392 ne admittite; 1, 534 ne cede; 1, 941 nec memento; Silv. 1, 5, 10 ne labora; 2, 2, 142 nec demitte; 2, 6, 12 ne conprime; 4, 1, 29 nec recense; 5, 1, 179 nec concute; Mart. 3, 2, 12 nec timeto; 3, 26, 5 ne puta; 4, 14, 11 nec lege; 5, 48, 7 ne propera, ne crede; 6, 27, 5 ne parce; 7, 93, 7 nec abutere; 8, 59, 3 ne contemne; 12, 55, 3 ne date; 13, 110, 2 nec sume; 14, 97, 1 ne viola; 14, 177, 3 ne sperne; Juv. 9, 130 ne trepida; Plin. 8, 18, 11 ne gravare; Cato 1, 2 neu esto; 1, 35 ne dubita; 2, 2 ne quaere; 3, 1 ne cessa; Mono. 75 ne crede; Col. 28 nec laede; Ser. Sam. L. M. 895 nec crede; Auson. 2, 39 ne temne; 31, 1 ne desere; 71, 8 ne quaere; 80, 5 ne fidite; 192, 83 ne horresce; 284, 32 nec dedignare; Sen. 4, 81, 13 ne cessate; Petron. 4, 90, 3 ne succumbe; Octav. 4, 255, 276 ne caedite; Regian. 4, 359, 1 ne crede; Luxor. 4, 394, 3 ne quaere; Avian. 26, 4 nec quaere; Orest. Trag. 486 ne dubitate; 657 ne dubitate; Priap. 14, 2 ne puta; 77, 17 neve inponite.

In these 163 examples, 95 different verbs are represented, 30 being those of mental action, found in 72 passages.

Nulli with the imperative is found in Phaedr. App. 6, 15 and Juv. 6, 631, in both instances with *credite*.

Nihil with the imperative is found twice in Cato (1, 8, 1 nihil crede; Coll. 44 nihil mentire).

Minime iudica occurs Cato, Coll. 52.

Plin. 8, 18, 11 *ne* gravare is the only prose example.

Every syntactical work with which I am familiar, except Lane (§1582), states that *non* does not occur with the imperative after Ovid. Lane says it occurs a few times, but gives no examples. I have noted four instances: Sen. H. F. 589 Tu *non* ante tuam respice coniugem quam cum clara deos optulerit dies Spartanique aderit ianua Taenari; Calp. 5, 24 Sed *non* ante greges in pascua mitte reclusos Quam fuerit placata Pales; Il. Lat. 1037 Non (ne V) vitam mihi nec magnos concede favores; Cato 3, 241, 6 Eripe, si valeas, *non* suggere tela furenti.

B. *Noli* with the Infinitive.

Seventy-two examples of *noli* have been noted, 32 being with verbs of mental action. With *noli* 59 different verbs occur, 26 of which are those of mental action. The number of instances and the percentage of verbs of mental action are much smaller than in Cicero. There, as Elmer has shown, *noli* encroached upon the present subjunctive. The examples are: Phaedr. 1, 22, 8 *noli* imputare; 1, 25, 7 *noli* vereri; 2, 3, 4 *noli* facere; 3, 18, 14 *noli* adfectare; 4, 7, 23 *noli* esse; Curt. Ruf. 9, 2, 26 *nolite* amittere; Calp. 3, 90 *nolite* credere; Stat. Silv. 2, 7, 35 *noli* provocare; Mart. 1, 24, 4 *nolito* credere; 1, 91, 2 *noli* carpere; Introd. to Bk. II, *noli* facere, *noli* inducere; 2, 74, 4 *nolito* invidere; 3, 31, 5 *noli* fastidire; 4, 38, 2 *noli* negare; 5, 57, 1 *noli* placere; 7, 76, 5 *nolito* placere; 9, 9, 3 *noli* queri; 10, 90, 9 *noli* vellere; 11, 13, 2 *noli* praeterire; 11, 14, 1 *nolite* sepelire; Ps.-Quint. 13, 21 *noli* mirari; 136, 5 *nolite* aestimare; 154, 16 *noli* desperare; 240, 24 *nolite* dare; 333, 9 *nolite* quaerere; 415, 25 *noli* dicere; 417, 12 *noli* opponere; 440, 19 *noli* criminari; Juv. 1, 126 *noli* vexare; 6, 378 *noli* committere; Plin. 4, 27, 4 *noli* amare; Apul. 169, 26 *noli* auspicari; Cato 3, 216, 52 *noli* inridere; 1, 9 *noli* desistere; 1, 10 *noli* contendere; 1, 13 *noli* promittere; 1, 14 *noli* credere; 1, 19 *noli* ponere; 1, 23 *noli* incusare; 1, 27 *noli* probare; 1, 32 *noli* praeponere; 2, 4 *noli* contendere; 2, 9 *noli* contemnere; 2, 11 *noli* contendere; 2, 12 *noli* perquirere; 2, 15 *noli* referre; 2, 20 *nolito* credere; 2, 21 *noli* ignoscere; 2, 25 *noli* submittere; 2, 26 *noli* dimittere; 3, 15 *nolito* silere; 3, 20 *noli* timere; 4, 3 *noli* dicere; 4, 10 *noli* indulgere; 4, 18 *noli* ridere; 4, 34 *noli* contendere; 4, 35 *noli* maerere; 4, 37 *noli* promittere; 4, 46 *noli* gaudere; App. 2 *noli* dimittere; App. 6 *noli* haberi; App. 8 *noli* dicere; Col. 16 *noli* adsuescere; Col. 30 *noli* attendere; Col. 40

noli dimittere; Auson. 267, 36 noli exigere; Sen. 4, 63, 9 noli tangere; Gall. 4, 104, 4 nolite extinguere; Maxim. 5, 67 noli parcere; Priap. 44, 1 nolite putare; 79, 3 noli erubescere.

In the Disticha of Cato we find the richest mine of prohibitive expressions presented in any single author in the language. In 476 lines occur 78 distinct prohibitions of 14 different types. *Noli* predominates, appearing in 40 per cent. of the passages. Light is also cast upon the subjunctive of obligation or propriety, as we find excellent examples of the perfect with *nemo*, *nullus*, *nihil* and *numquam*, and of the present with *non*, *nihil* and *numquam*, in expressions that are clearly prohibitions.

Elmer, in the closing words of his second article (A. J. P. XV 327), says: "As regards the use of *non* in Silver Latin, I believe that it still continued to be carefully distinguished from *ne*." It has been shown that *non* occurs in prohibitions with the present subjunctive and imperative. It is reasonable to suppose that its use was not confined to these two types. I have noted in my reading a number of passages where it occurs with the first and third persons, where the expression is clearly volitive. In most cases there are subjunctives in immediate connection which can not be explained as of obligation. The passages are: Sen. Thy. 48 non sit; 185 non tegant; Med. 513 non veniat; H. O. 1593 non horreat; Luc. 7, 322 non commoveant; 8, 738 non desint; Calp. 5, 39 non pudeat; Val. Flac. 4, 610 non sit; 5, 57 non dividat; Mart. 5, 34, 9 non tegat; Juv. 6, 448 non habeat; 6, 451 non intellegat; 16, 28 non sollicitemus; Plin. 3, 19, 9 non moveat; Ser. Sam. 899 non pudeat; Auson. 307, 13 non adfligar, aut crescam; Namat. 1, 263 non deceant; 1, 413 non indignemur; Dracont. 5, 146, 228 non micent, non surgant; 202, 291 non coniungatur; 207, 420 non puniat; Cato 4, 29, 1 non pudeat; Mono. 2 non extollant, non frangant.

There are other points in connection with the prohibitive, outside of Silver Latin, which I hope to consider at another time. There is a solution, I believe, of the seeming difficulties or inconsistencies of usage in Cicero and the poets of the Augustan age which has not yet been suggested. It would be rash to venture an explanation before a more thorough examination of the problems involved than I have yet been able to give.